

ENTERED

November 29, 2018

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

CORNELIUS MILAN HARPER
Plaintiff,

v.

JOHN B. LIBBY and the UNITED
STATES OF AMERICA
Defendants.

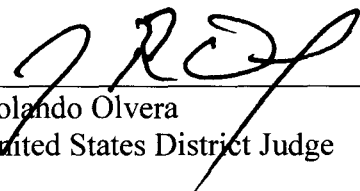
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Civil Action No. 1:18-cv-00161

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court is the "Magistrate Judge's Report and Recommendation" (hereafter "R&R") (Docket No. 4), in the above-captioned case. The R&R recommended the dismissal of Cornelius Milan Harper's (hereafter "Plaintiff") *pro se* Complaint under 42 U.S.C. § 1983 (Docket No. 1), based on Plaintiff's accumulation of three strikes under 28 U.S.C. § 1915(g)¹. See Docket No 4 at 2. In response to the R&R, Plaintiff filed an "Attestation of Facts and Prose" (Docket No. 8); even liberally construing said pleading (Docket No. 8) as constituting Plaintiff's timely objections to the R&R, the Court finds no meritorious arguments in said pleading. Therefore, after a *de novo* review of the file, the "Magistrate Judge's Report and Recommendation" (Docket No. 4) is **ADOPTED**. It is therefore **ORDERED** that Plaintiff's Complaint (Docket No. 1) is hereby **DISMISSED** with prejudice. The Clerk of the Court is **ORDERED** to send notice of the dismissal to the Manager of the Three Strikes List for the Southern District of Texas. The Clerk of the Court is further **ORDERED** to close this case.

Signed on this 29th day of November, 2018.



Rolando Olvera
United States District Judge

¹ "In no event shall a prisoner bring a civil action...or proceeding under this section if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).